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19 OCT 2006

Legal Staff
International Division

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cosford, *et al.*

Serial No.: 10/532,634

Case No.: MS0013YP

Art Unit:

Filed: October 24, 2003

Examiner:

For: ALKYNE DERIVATIVES AS TRACERS FOR
METABOTROPIC GLUTAMATE RECEPTOR BINDING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Office of Legal Administration
Mr. Richard M. Ross

RENEWED PETITION UNDER 37 CFR 1.181

Sir:

This Renewed Petition Under 37 CFR 1.181 is responsive to the Decision on Petition dated August 31, 2006 in the referenced patent application.

This application is the U.S. national phase of International Application PCT/US2003/033613. The originally listed inventors on International Application were Nicholas Cosford, Steven Govek, Terence Hamill, Theodore Kamenecka, Jeffrey Roppe and Thomas Seiders. Timely requests to the International Bureau (IB) were made via Rule 92(bis) Communications to add inventors Celine Bonnefous, Matthew Braun, Dennis Dean, Joseph Simeone and Donald Burns. Until recently, the IB had not issued IB/306 forms confirming the addition of these inventors. Applicants now attach hereto copies of five (5) IB/306 forms establishing, respectively, that Celine Bonnefous, Matthew Braun, Dennis Dean, Joseph Simeone and Donald Burns "should be added to the record as applicant for the United States of America".

In the USPTO there has been some difficulty having the inventors' declarations accepted and made part of the record. The properly executed declarations of all eleven (11) inventors have previously been submitted on three separate occasions:

First, the properly executed declarations of all eleven (11) inventors were provided with the original national phase papers on April 25, 2006. Attached hereto are copies of the originally submitted three declarations and a stamped postcard confirming receipt of same at the USPTO. The Undersigned states that these are true and correct copies of the declarations filed April 25, 2005.

Next, the properly executed declarations of all eleven (11) inventors were provided with Applicants' January 13, 2006 Communication (deemed a "Petition" in the August 31, 2006 Decision on Petition) responsive to a November 14, 2005 Notification of Missing Requirements Under 35 U.S.C. 371. Applicants point out that this was also a timely submission of the declarations since the November 14, 2005 Notification of Missing Requirements Under 35 U.S.C. 371 had a two month deadline for response.

Last, the properly executed declarations of all eleven (11) inventors were provided via facsimile on August 29, 2006 in response to a telephone call from a Mr. Winston Alvarado of the USPTO (PCT Operations, National Stage Division, phone # 703-308-9140 x206) the previous day. (Copy of facsimile Cover Sheet attached hereto.)

For reasons unknown to the undersigned, the USPTO has apparently lost or has been unable to make of record these documents.

Because Examiner Ross could not confirm that the USPTO had received the properly executed declarations of all eleven (11) inventors, and because there were no IB306 forms which added inventors Celine Bonnefous, Matthew Braun, Dennis Dean, Joseph Simeone and Donald Burns to the International Application, the August 31, 2006 Decision on Petition dismissed Applicants January 17, 2006 "Petition".

Request for Reconsideration

In view of the documents and information provided herein, specifically the IB/306 forms, the declarations of all eleven inventors, postcard and applicants statement, Applicants respectfully request reconsideration of the Decision on Petition of August 31, 2006.

It is believed that no fees are due with this paper. However, any fees due should be charged to Deposit Account **13-2755**.

Correspondence should continue to be directed to the address below. Applicant's Attorney can be reached at the telephone number below.

Respectfully submitted,

By: David Rubin
David Rubin
Reg. No. 40,314
Attorney for Applicants

MERCK & CO., Inc.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-2675

Date: October 17, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.
By: R. Reynolds Date 10/17/06

PCTNOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

PAT. REG. COORD.

DOCKET

ATTORNEY

MAINTENANCE

CASE REFERENCE CLERK

OTHER

MERCK & CO., INC.
126 East Lincoln Avenue
Rahway, NJ 07065-0907
ETATS-UNIS D'AMERIQUE

OCT 17 2006

Patent Department

IMPORTANT NOTIFICATION

Date of mailing (day/month/year)

02 October 2006 (02.10.2006)

Applicant's or agent's file reference

PCT/MS0013Y

International application No.

PCT/US2003/033613

International filing date (day/month/year)

24 October 2003 (24.10.2003)

1. The following indications appeared on record concerning:

☒ the applicant☒ the inventor☐ the agent☐ the common representative

Name and Address

State of Nationality

State of Residence

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person☐ the name☐ the address☐ the nationality☐ the residence

Name and Address

State of Nationality

State of Residence

BURNS, Donald
126 East Lincoln Avenue
Rahway, NJ 07065-0907
United States of America

US

US

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

The person identified in Box 2 should be added to the record as applicant for the United States of America only and inventor for all designated States.

4. A copy of this notification has been sent to:

☒ the receiving Office☐ the International Searching Authority☐ the International Preliminary Examining Authority☐ the designated Offices concerned☒ the elected Offices concerned☐ other:The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Devillard Marie-José

Facsimile No. +41 22 338 89 95

Telephone No. +41 22 338 94 39

Facsimile No. +41 22 338 82 70

From the INTERNATIONAL BUREAU

PCTNOTIFICATION OF THE RECORDING
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Administrative Instructions, Section 422)

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126 East Lincoln Avenue
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ETATS-UNIS D'AMERIQUEDate of mailing (day/month/year)
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Name and Address

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Telephone No.

Facsimile No.

Teleprinter No.

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Name and Address

State of Nationality

State of Residence

BONNEFOUS, Céline
126 East Lincoln Avenue
Ragway, NJ 07065-0907
United States of America

FR

US

Telephone No.

Facsimile No.

Teleprinter No.

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Name and Address

State of Nationality

State of Residence

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Name and Address

State of Nationality

State of Residence

BRAUN, Matthew, P.
126 East Lincoln Avenue
Rahway, NJ 07065-0907
United States of America

US

US

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

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Applicant's or agent's file reference

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International application No.

PCT/US2003/033613

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24 October 2003 (24.10.2003)

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Name and Address

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Name and Address

State of Nationality

State of Residence

SIMEONE, Joseph, Paul
126 East Lincoln Avenue
Rahway, NJ 07065-0907
United States of America

US

US

Telephone No.

Facsimile No.

Teleprinter No.

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ETATS-UNIS D'AMERIQUE

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| Applicant's or agent's file reference PCT MS0013Y | |
| International application No. PCT/US2003/033613 | International filing date (day/month/year) 24 October 2003 (24.10.2003) |

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2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person ☐ the name ☐ the address ☐ the nationality ☐ the residence

| | | |
|--|----------------------------|--------------------------|
| Name and Address DEAN, Dennis, C. 126 East Lincoln Avenue Rahway, NJ 07065-0907 United States of America | State of Nationality FR | State of Residence US |
| | Telephone No. | |
| | Facsimile No. | |
| | Teleprinter No. | |

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| | |
|--|---|
| <input checked="" type="checkbox"/> the receiving Office | <input type="checkbox"/> the designated Offices concerned |
| <input type="checkbox"/> the International Searching Authority | <input checked="" type="checkbox"/> the elected Offices concerned |
| <input type="checkbox"/> the International Preliminary Examining Authority | <input type="checkbox"/> other: |

| | |
|---|--|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70 | Authorized officer Devillard Marie-José Facsimile No. +41 22 338 89 95 Telephone No. +41 22 338 94 39 |
|---|--|